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The Growing Crisis of Child Labour in Bangladesh: A Focus on the Vehicle Sector and Legal Frameworks

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ABSTRACT

The primary objective of this paper is to analyse the underlying reasons for the increase in child labour within the local vehicle sector, particularly in Leguna, and to identify potential strategies for its prevention. Child labour represents a critical issue that demands urgent attention and action. This study highlights the growth of child labour in a developing nation such as Bangladesh and examines its multifaceted impact on society, including both its advantageous and adverse effects. The rise in child labour can be attributed to factors such as poverty, the COVID-19 pandemic, and various other obstacles. This research reveals that the earnings of child workers in Bangladesh's transportation industry are significantly lower than those of adult workers, and nearly all children are employed informally. Herein, a policy change that involves equal collaboration between the government and NGOs, providing alternative income opportunities and awareness programs, would be ideal. This gap has been left open regarding the practical enforcement aspects of child laws in Bangladesh. It is recommended that administrative systems be held accountable for protecting rights and aligning judicial interpretation with modern times.

Keywords: Legislations; Child labour; Leguna; Transportation; COVID-19

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1. Introduction

Due to increasing population pressure in Dhaka city, the current public transportation system is failing to provide adequate passenger services. The disparity between the number of vehicles and roads compared to the population has led to the introduction of new types of vehicles including buses and minibuses, on the roads of Dhaka. A special type of vehicle, locally known as a 'Leguna,' is utilized to manage or reduce passenger pressure in various district cities, including Dhaka....¹ Formally registered in government records as a human hauler and commonly known as a 'Leguna,' this specialized vehicle is created by extensively modifying and repurposing old minibuses (Wadud, 2018). The modification process involves reducing the original size of the minibuses to facilitate the transportation of passengers over short distances. A human hauler, with a seating capacity ranging from 10 to 14 individuals, is essentially a converted minitruck equipped with two benches to accommodate passengers. They offer passenger services on relatively short-distance routes linking urban centers with rural areas. In particular, both the driver and helper of this specialized vehicle are often children.

These child-operated vehicles pose significant risks to passengers and cast uncertainty over the future of the children involved. The main issue is that children are getting involved in risky activities instead of attending school. Unscrupulous gangs are exploiting these children by employing them as drivers and helpers in Leguna vehicles for low wages. Significantly, child labour is increasing day by day in Leguna. In most cases, both the Leguna driver and assistant are minors. Child labour in Leguna constitutes a pressing issue that necessitates immediate intervention and remedial measures. Ensuring the protection of children from child labour is an inherent right of citizens of any country or society. As vulnerable members of society, children require dedicated protection and care to secure their physical and mental well-being.

The imperative to eradicate child labor in Leguna is evident, as children are being diverted from their fundamental goals of education and good health while engaging in hazardous activities, such as driving the Leguna. Moreover, there is a need to stop child labour in Leguna as underage and unskilled drivers put passengers' lives at risk. Accidents often occur due to minor drivers and assistants. Education is an important tool to break the cycle of poverty and child labour. It empowers children by providing the knowledge and skills necessary to access improved employment opportunities in the future. Hazardous work can have significant adverse effects on children's physical health and psychological well-being (Prothom Alo English Desk, 2023).

Child labour is increasingly prevalent in the public transport sector. While regulations have successfully curtailed child labour in factories, enforcement in public transport remains inadequate. Pressure from foreign buyers has led to the cessation of child labour in export-oriented factories, including the garment industry. However, in the transport sector, the use

¹ 'Leguna': A four-wheeler for short-distance travel vehicle utilized to manage or reduce passenger pressure in various district cities, including Dhaka.

of children for low wages continues to rise due to insufficient monitoring. Leguna operates on so many routes in Dhaka that it is difficult to stop child labour on all routes.

1.1 Methodology

In this paper, I have employed the analytical method to investigate existing norms and principles relating to child labour and rights protection. This study includes a comprehensive analysis of international conventions, treaties, and protocols, as well as national laws and policies pertinent to the subject matter. The research assesses Bangladesh's adherence to these international norms in light of legal duties derived from agreements, such as the UN Convention on the Rights of the Child. The study additionally utilizes sources, like research papers and survey responses, to evaluate the usefulness and practical consequences of the present situation. This methodical approach ensures a thorough examination of the country's initiatives and challenges in safeguarding the rights and welfare of children.

2. The Contextual Landscape of Child Labour in the Informal Transport Sector in Dhaka

Jatrabari is the largest route of Leguna in Dhaka, the capital city of Bangladesh. From Jatrabari, Leguna vehicles operate on more than ten distinct routes. Jatrabari has the largest number of child labourers working within the Leguna transport system. Two notable routes originating from Jatrabari are those leading to Jurain and Abdullahpur. On these two routes alone, approximately 70 Leguna vehicles operate nearly 23 hours a day. In the Mohammadpur area of the capital, there are four primary Leguna routes: Mohammadpur to Farmgate, Mohammadpur to Shyamoli, Dhaka University to Shyamoli, and Mohammadpur to Mohakhali. Most of the children on this route work as drivers and helpers when they are supposed to be in school. In addition, Leguna services six distinct routes within the capital city from Mirpur. These routes include: Mirpur 1 to Duaripara, Mirpur 2 to Mohakhali, Mirpur 2 to Farmgate, Mirpur 2 to Shyamoli, Mirpur 1 (Mazar) to Diabari, and Mirpur 1 (Mazar) to Gabtali. A significant number of commuters in the Dhaka metropolis rely on Leguna for their daily transportation needs. The most frequented routes include Mirpur 2 to Mohakhali, Khilgaon to Gulistan, Mirpur 2 to Farmgate, Shanir Akhra to Neelkhet and Mohammadpur to Shanir Akhra. In Bangladesh, poverty is the main reason of child labour. Poverty is strongly positively correlated with child labour. Free and compulsory education of good quality up to age 20 year to enter into employment is a key tool in preventing child labour (Reza et al., 2019).

Owing to the high demand for transportation and the prevailing public transport crisis, unscrupulous businessmen frequently flout legal regulations by employing minor children as drivers and helpers in Leguna vehicles. These employers exploit underage labour to maximize their profits by offering minimal wages. This increased population is primarily a result of changes in fertility, mortality, and migration rates, which together create many problems, namely, shortages in food, housing, employment opportunities, and strains on the

education system and the infrastructure of country (Gharaibeh & Hoeman, 2003). Employers typically derive significant benefits from employing children as helpers because it is more cost-effective than hiring adult helpers. There is a significant wage gap between child laborers and adult workers in the transport sector of Bangladesh, which is important from both economic and social perspectives. According to the National Child Labour Survey 2022, child laborers earn an average of 5,000–6,675 BDT per month and are mostly employed informally and without contracts, where working hours are approximately 27–40 hours per week, and they are often forced to work at night (Ahmad, 2024). In contrast, adult workers in the transport sector earn an average of 8,000–15,000 BDT, and their employment includes contracts, experience, and social security benefits; their working hours are usually 8 hours per day with additional wages for overtime. According to an analysis by the Economic Research Group, although employing children at lower wages is cost-saving for employers, it creates a major obstacle to children’s education, rights, and future development (Zohir et al., 2024).

Additionally, children are often able to work longer hours. Those employed in the transport sector are paid wages on a daily basis. In the context of Leguna operations, the remuneration of each individual is contingent upon their respective contributions. Furthermore, there are no designated breaks during the work period; labour continues as long as the Leguna is operational. A Leguna traveling the route from Mirpur 2 to Farmgate can generate approximately Tk 300 per trip (Istiak, 2023). Typically, a Leguna can complete this journey 12 to 15 times daily, subject to traffic conditions. However, the driver receives between Tk 50 and Tk 80 per trip, while the helper earns a mere Tk 10 to Tk 20 per trip.

The leguna represents the most informal mode of transportation in Dhaka, as well as in other regions across Bangladesh. Approximately 2,400 legunas ply the roads of Dhaka, carrying approximately 180,000 passengers daily. A survey conducted by the Bangladesh Jatri Kalyan Samity in 2016 revealed that 35% of the workforce on 85 leguna routes in Dhaka comprises children (“Road Accidents Kill 21 People a Day: BJKS”, 2023). Engaging in employment as a driver or helper in legunas, the locally recognized mechanized transport, is often perceived as a viable career option for numerous children who migrate to the city in pursuit of sustenance for themselves and their families. Based on a 2003 survey undertaken by the Bangladesh Bureau of Statistics (BBS) in collaboration with the International Labour Organization (ILO), 7.8 million children were engaged in economic activities in Bangladesh, of which 3.2 million were child labourers and 1.3 million were involved in hazardous work (“Poor Children Find Leguna Job for Living, Edn”, 2016). Notably, 17.4% of the child labourers were employed in the capital city. According to The Children Act of 2013, employment as a driver’s assistant is classified as hazardous for individuals under the age of 18.² The Ministry of Labour and Employment’s official website enumerates occupations deemed highly hazardous for children.

² Children Act 2013, s. 89.

3. Impact of the COVID-19 Pandemic on Vulnerable Children

Although children are less severely affected by the COVID-19 pandemic than adults, they remain silent victims of the virus. 'The unprecedented COVID-19 pandemic has caused major disruptions to global trade, business, and education. Bangladesh has also experienced the adverse effects of this widespread contagion. The economic consequences of the Covid-19 outbreak are tough to handle as the entire of the global supply chain has been interrupted due to the cessation of international transportation activities (Bhuiyan, 2020).' A significant proportion of child labourers employed in the Leguna transport sector are school dropouts. The COVID-19 pandemic has caused additional economic disruptions and prolonged school closures. These changes have worsened the situation for children already involved in child labor, forcing them to work longer hours or under more dangerous conditions. The loss of jobs and income among vulnerable families has heightened the risk of many more children being driven into the most exploitative forms of child labour (UNICEF, 2021).

Statistics indicate that 45% of the country's population comprises children under the age of 18 years. Prolonged school closures due to COVID-19 have resulted in a substantial disconnect from education for many of these children. Took a special vaccination program to bring 12 to 17-year-old schoolchildren, Madrasa students, slum dwellers, and the floating population under vaccination (Transparency International Bangladesh, 2022). The South Asian Network on Economic Modeling (SAMEN), a non-governmental organization, reports that Bangladesh generally has a dropout rate of 17% at the primary level and 37% at the secondary level, both of which have increased during the COVID-19 pandemic. According to the report titled 'Situation Analysis of the Impact of COVID-19 and Response Activities' (CITN Report), published by UNICEF and UNESCO, 37 million children in Bangladesh have been out of school since the arrival of the COVID-19 pandemic in early 2020 (United Nations Children's Fund & United Nations Educational, Scientific and Cultural Organization, 2021). Additionally, approximately 800 million children across Asia, including regions such as South Asia, Southeast Asia, and East Asia, have experienced significant disruptions to their education.

According to the International Labour Organization (ILO), the global rate of child labour has decreased by 94 million since 2000. No matter how, the COVID-19 pandemic threatens to reverse this progress, with the ILO warning that millions of children could be forced back into exploitative labour conditions. Child labour is becoming more prevalent, fueled by economic instability and widespread poverty. Insufficient information dissemination and ineffective communication networks exacerbate the vulnerabilities and inefficiencies within the healthcare system. Health-related uncertainty and limited access to reliable information created widespread confusion. The absence of trustworthy data sources and disruptions in information flow further fueled the spread of rumors and misinformation (Al-Zaman, 2020). The problem has worsened during the COVID-19 pandemic, highlighting the growing vulnerability of children in these challenging times. From a very young age, these vulnerable children are confronted with harsh realities. The surge in child labour can

be attributed primarily to the adverse impact of the pandemic on parental employment and income (Bhuiyan, 2020). So, many families have turned to child labour as a means of survival during these challenging times. It is anticipated that the COVID-19 pandemic would worsen poverty, leading to a rise in child labour since families will use all means required to survive. 'Moreover, none of the two existing laws, Disaster Management Act 2012 and Infectious Disease (Prevention, Control, and Elimination) Act 2018, were brought into action properly to control such massive mass mobilizations and gatherings (Julkarnayeen et al., 2020).

According to research, child labour rises by at least 7% in some nations for every percentage point increase in poverty (UNICEF, 2020). The UN Convention on the Rights of the Child (CRC), forming the core of UNICEF's efforts, advocates for compulsory education but permits states to ratify the convention without mandating its enforcement. In the past decade, UNICEF has transitioned from project-specific activities to adopting a broader programmatic approach, exemplified by initiatives like the Global Campaign for Girls' Education. UNICEF's stance on universal compulsory education is deeply rooted in a human rights perspective, and addressing child labor is seen as an integral component of this vision, reinforcing its dedication to achieving education for all (Zaman et al., 2014). A recent report by the International Labour Organization (ILO) and UNICEF highlights that the global count of children involved in child labour worldwide increased to 160 million in 2020, reflecting an increase of 8.4 million over the past four years (UNICEF, 2021). The impact of the COVID-19 pandemic has placed hundreds of thousands more children at risk. The ILO and UNICEF have warned that an additional 9 million children globally are at risk because of the pandemic. The United Nations reports that the economic crisis caused by the coronavirus pandemic and following lockdown has pushed millions more children into similar situations over the past year (UNICEF, 2022). Since they are unable to go to school, many families likely engage their children in activities to support household needs, increasing the risk of child labour and hindering their education. Additionally, children from impoverished families are at an increased risk of exposure to criminal activities.

'The report titled 'Child Labour: Global Estimates 2020, Trends and the Road Forward' was jointly published by the United Nations International Labour Organization (ILO) and UNICEF. Published every four years, the report indicates that half of the world's child labourers are between the ages of 5 and 11, with the majority being boys. Among the 160 million child labourers, approximately 97 million are boys (International Labour Organization & United Nations Children, 2021). According to the report titled 'Child Labour: A Time of Crisis, a Time to Act', published by the International Labour Organization (ILO) and UNICEF, the COVID-19 pandemic has placed many children at risk, which may increase child labour for the first time after two decades of progress (International Labour Organization & United Nations Children, 2020). Sustainable Development Goal 8.7 states that nations must implement prompt and effective actions to withdraw children from the most dangerous forms of work and eliminate all forms of child labour by 2025 (International Labour Organization [ILO], 2025). According to the National

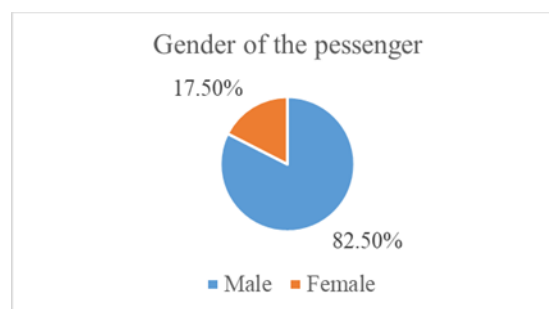
Child Labour Survey 2013, about 1.7 million children participated in various forms of work in Bangladesh (Khan & Jannah, 2023).

4. Institutional and Regulatory Framework

Underage children and teenagers are frequently observed driving Leguna through different roads and alleys of Dhaka city, often without possessing a valid driving license. The assistants of these drivers are also young children. The National Transport Act requires that professional drivers must be at least 21 years old, but there is minimal enforcement of this regulation.³ Leguna drivers and helpers are equally unable to obtain legal licenses because of their young age. This results in a lack of proper documentation and frequent resistance at police checkpoints. There is an enforcement wing in the Bangladesh Road Transport Authority (BRTA) that is responsible for ensuring that all rules and regulations for any vehicle are followed. Nevertheless, enforcement authorities strive to ensure that human haulers, who typically lack route permits for highway operations outside the capital, comply with legal regulations. ‘As reported by the World Bank, the participation of children aged 10 to 14 in the labor force is most prevalent in countries with a per capita income of \$500 or less (at 1987 prices), where rates range from 30% to 60%. In comparison, countries with per capita income levels between \$500 and \$1,000 exhibit lower participation rates, at approximately 10% to 30%. Conversely, in wealthier developing nations, the trend differs markedly, presenting an opposing scenario.’

This study was conducted to identify the current status, prospects, and challenges of leguna services from the user perspective. The survey was conducted across ten distinct legunas, covering a distance of 4.6 km from Mirpur-1 to Duaripara.

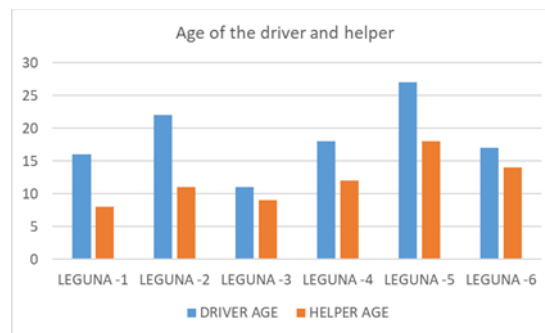
Figure 1: Gender (Author’s Survey, 2024)



The study area, 82.50% of the 120 respondents are male users, and 17.50% are female users. Male uses rides more than females. Female respondents identified safety concerns and the presence of underage drivers as significant risks, leading to a lower participation rate among women compared to male passengers.

³ The Road Transport Act, 2018, s. 103.

Figure 2: Age (Author's Survey, 2024)



This study provides an analysis of the age composition of drivers and assistants within six distinct Legunas. The findings reveal that 50% of the drivers are adults, while the other 50% are minors. The age of drivers ranges from a minimum of 11 years to a maximum of 27 years, suggesting a balanced distribution of adult and minor drivers across the Legunas. In contrast, the age of assistants varies between 8 and 18 years. Notably, 16.67% of the assistants are classified as adults, whereas 83.33% are minors. This distribution underscores the predominance of minor assistants in the analyzed Legunas. Leguna drivers frequently resort to alternative routes when traffic police establish checkpoints at various locations within the capital (Mahmud, 2021). This practice is primarily driven by the fact that a significant number of these drivers lack valid driving licenses. Upon discovering the presence of a checkpoint or in the event of apprehension, Leguna drivers promptly notify other Leguna drivers to circumvent these enforcement measures. Frequently, Leguna operations are halted for the day due to the establishment of multiple checkpoints by traffic authorities. Given that a substantial number of Leguna drivers are minors, apprehension at these checkpoints often results in fines or the impoundment of the vehicle. Consequently, these drivers maintain robust communication networks among themselves, enabling them to effectively circumvent such enforcement measures.

On numerous occasions, traffic police are unable to take action against child drivers in Leguna vehicles due to humanitarian considerations, as these children are often the primary earners for their families. According to the Motor Vehicles Ordinance, 1983 of Bangladesh, Section 4(1) clearly states that no person under the age of 18 shall drive a motor vehicle in a public place, and according to Section 4(2), one must be at least 20 years old to drive as a professional driver.⁴ As a result, employing child drivers in Laguna or the transport sector is entirely illegal. However, in reality, it is seen that many children are the primary earners in their families, so traffic police are reluctant to take direct legal action due to humanitarian considerations. This is not a legal authorization, but rather an unofficial 'discretionary practice.'

In the absence of income generated by children engaged in Leguna driving, their families face the risk of experiencing severe food insecurity. Despite efforts to eliminate child

⁴ Motor Vehicles Ordinance, 1983.

labour in Leguna operations, children frequently return to work after a short period, driven by the lack of resources for sustenance and education. On the contrary, their families are dependent on them. Children will not come to Leguna again if the government provides alternative arrangements for them. In addition, the International Plan for the Elimination of Child Labour (IPEC) was issued in 1992 to solve the problem of child labour and promote the overall development of the struggle against child labour by strengthening public capacity to eliminate child labour reasonably. Although the goal of IPEC is still the embargo and disposal of all types of child labour, the focus of IPEC activities is on the most annoying child labour, which is a characteristic of Convention No. 182. IPEC also requires arrangements for children and children's choices with families to ensure that children truly benefit from child labour intercession (Mandopi, 2016).

The operation of Leguna vehicles on the capital's roads is characterized by reckless driving behavior (Ali, 2024). These vehicles often fail to stop even when other cars do, resulting in hazardous driving conditions. Child labourers in Leguna feel empowered on the streets because they are earning their own income. It is enjoyable for them to be able to compete with various vehicles, including private cars. This behavior not only endangers their own lives but also poses significant risks to the passengers they transport. 'Countless children are compelled to engage in labor due to the pervasive issue of poverty. Many begin working as laborers even before attaining school age, while others are forced to abandon their education to fulfill their basic needs. Enduring such hardships at a young age, these children are in urgent need of psycho-social rehabilitation, educational support, and access to economic opportunities within their communities to pave the way for a better future.' In Bangladesh, orphaned children are involved in child labour at a higher rate. This vulnerability often compels them to engage in labourious activities. Reluctance to attend school is also one of the causes of child labour. The excessive workload imposed on these children leads to a deterioration in their health, making them susceptible to various malnutrition-related diseases.

The number of child labourers increased by 4.5% in a decade. The findings of the National Child Labour Survey 2022 indicate that the prevalence of child labor in Bangladesh has increased by 4.5% over the past decade to 1.7 million from 1.6 million in 2013 (Khan & Jannah, 2023). Bangladesh currently has 39.9 million children aged 5–17 years, which is higher than the 39.6 million mentioned in the 2013 survey (Khan & Jannah, 2023). The number of working children increased from 3.45 million to 3.536 million during the survey period. The worst form of child labour or hazardous work is a common situation in Bangladesh and the employers find no punishment for engaging the children in these types of works. Hazardous works includes all the works are done by children which are hazardous either by the nature of the work itself, such as work with aggressive chemicals or sharp tools (Basu, 1999). However, a positive development is the reduction in the number of children engaged in hazardous labour, which has decreased by 16.55%, from 1.28 million in 2013 to 1.06 million in 2022. According to the provisional report of the 'National Child Labour Survey 2022' by the Bangladesh Bureau of Statistics, various government initiatives aimed at eliminating child labour have contributed significantly to this decline. According to

a recent survey, approximately 51.79% or 20 million children are male, and the remaining 19.2 million are female (Khan & Jannah, 2023). Currently, 0.27 million male children and 0.8 million female children are among the working children, indicating a higher prevalence of child labour among males. The survey further reveals that about 1.27 million children are employed in the service sector, 1.19 million children in the industrial sector and 1.08 million in agriculture. Factors contributing to the persistence of child labour include economic exploitation, stark disparity between rich and poor, social unrest, adult unemployment, unemployment are also responsible for the practice of child labour.

A survey titled 'Situation of Child Labour in Bangladesh' identifies several factors contributing to child labour, including extreme poverty, the death of the sole breadwinner, fatherlessness, parental abandonment, and natural disasters (Zohir et al., 2024). According to the Bangladesh Bureau of Statistics and the International Labour Organization (ILO) survey, there are 45 types of hazardous work in the workplace, with children participating in 41 of these activities. Article 8.9 of the National Child Policy of 2011 mandates that institutions employing children must ensure that children are not subjected to any form of physical, mental or sexual abuse and must regularly evaluate their activities.⁵ But the practical implementation of this policy reveals a starkly different reality.

As reported by the International Labour Organization (ILO) survey, the global population of child laborers is estimated to be approximately 366 million, with one in every six children engaged in child labour. Annually, approximately 22,000 children lose their lives due to trafficking, terrorism, torture, and other forms of exploitation. In Bangladesh, the Labour Department reports that there are 0.69 million child labourers. A report published by UNICEF reveals that the country has a child population exceeding 60 million (UNICEF, 2021). While 90% of children begin their education by attending school, the majority, representing more than half, leave school before finishing their studies. A survey by the World Food Organization reveals that 57% of children work solely in exchange for food, while 23.7% receive wages, which are minimal compared to the provisions of the Children Act. Approximately 70% of the population in Bangladesh continues to live below the poverty line despite concerted efforts by the government. Although state authorities are cognizant of the urgency to address this issue, due to the non-cooperation of some people, leading to the frequent failure of various government initiatives.

5. The Children Act 2013 and Constitutional Safeguards

Children are the pillars of human society, and the future societal landscape is significantly influenced by the well-being and development of today's children. Therefore, ensuring the protection of children is paramount to building an efficient nation and orderly society. The Bangladesh Constitution, ratified in 1972, lays the foundational framework for the protection of children's rights.⁶ The development of child protection laws in Bangladesh initially arose

⁵ National Child Policy 2011, art. 8.9.

⁶ Constitution of Bangladesh 1972, art. 28(4).

from this framework. Various statutes, such as the Children Act of 2013 and the Prevention of The Labour Act 2006, provide comprehensive provisions to safeguard children from various forms of exploitation, abuse, and neglect.⁷ The Children Act 2013 is an extensive legislation enacted to safeguard children in Bangladesh. It requires formation of Child Welfare Boards at the national, district and upazila levels to monitor child protection systems, coordinate welfare services and propose policy improvements.⁸ The Act also provides for the setting up of exclusive Children's Courts to deal with cases of children and prescribes that the manner of trial and the system of the court for children should be child friendly, as far as possible with aim of rehabilitation of the child victims and not tone down the provisions of the Act.⁹ Furthermore, the act imposes severe penalties on anyone who abuses or exploits children, such as imprisonment for five years and a fine; severe punishment of child trafficking or exploitation even brokers involved in this evil trade will find themselves arrested. Employing children to perform hazardous labor is also prohibited by law in all senses of the word.¹⁰

In Dhaka, child offenders are tried in the Women and Children Repression Prevention Tribunal. It is supposed to ensure suitable seating in the courtroom for children and, if necessary, special seating for children with disabilities. However, on-site observation shows that there are no separate seats or dedicated courtrooms for children. Child defendants are tried in the same courtroom as adult accused under the red cloth-covered docks. Section 19(3) of the Children Act 2013 states that the juvenile court shall ensure appropriate seating for children and, if necessary, special seating arrangements for children with disabilities in the courtroom consistent with Sub-rule (1).¹¹ Section 19(4) of the same Act states that notwithstanding anything contained in any other law, during the trial of a child by the juvenile court, no lawyer, police officer, or court employee shall wear professional or official uniforms in the courtroom, and no child shall be handcuffed or tied with rope or chains after arrest.¹² Although it is mandated that no child should be brought to court in official uniform, the law is not being followed.¹³ Experts say that this not only violates the provisions of the Children Act but also mentally harms emotionally sensitive children.

According to the report of the National Child Labour Survey 2022 by the Bangladesh Bureau of Statistics, there are approximately 3.54 million working children in the country, aged between 5 and 17 years.¹⁴ In 2013, this figure was approximately 3.45 million, and it increased by approximately 0.09 million over a decade. Of them, nearly 1.78 million children

⁷ Children Act 2013, ss. 70 and 63.

⁸ Children Act 2013, ss. 70 and 63.

⁹ Children Act 2013, ss. 70 and 63.

¹⁰ Children Act 2013, ss. 70 and 63.

¹¹ Children Act 2013, s. 19(3).

¹² Children Act 2013, s. 19(4).

¹³ Children Act 2013, s. 19(4).

¹⁴ Children Act 2013, s. 19(4).

are engaged as workers, which was 1.70 million in the survey of 2013; hence, it increased by approximately 0.08 million child laborers (Khan & Jannah, 2023).

Poverty is largely responsible for children becoming laborers in our country. Due to the need to earn food, many children engage in risky professions. Because of financial hardship, these children are forced to work in exchange for money. For various reasons, they are deprived of the care they deserve. Another major reason behind child labor is the education system in our country. Although many children are admitted to school, they cannot continue their studies due to lack of money. As a result, their education stops halfway. Most of these children's parents fail to afford the cost of education. Therefore, they lose the motivation to send their children to school. The arrival of cheap labor from children perpetuates both poverty and the use of child labor.

Although there is a separate law for juvenile offenders, no dedicated juvenile court has been established. Children are tried in the Women and Children Repression Prevention Tribunal, where rape cases are also heard. As they are tried in the same courtroom, children have to hear the trials of rape accused, which causes psychological harm. Punishments are imposed on those who employ children and their guardians. However, to enforce this law, a complaint must be filed by someone. As both parties benefit, there is often no complaint. Therefore, awareness among both parties is necessary to end child labor. According to Section 34 of the Bangladesh Labour Act, 2006, no child shall be employed or made to work. Section 35 of the same Act states that no guardian may enter into a contract allowing a child to be employed; if such a contract is made, it will be considered invalid.¹⁵ If anyone violates Section 34 by employing or permitting a child or adolescent to work, they can be fined up to five thousand taka. For violating Section 35, they may be fined up to one thousand taka.¹⁶

Those who employ children for labor should be brought under punishment. There are provisions in the law for punishment; however, the enforcement of this law is limited. If a law is made but not implemented, it holds no value. If punishment is ensured, child labor will decrease significantly. According to Section 284 of the Labour Act, if any person employs a child or adolescent or permits a child or adolescent to be employed by violating any provision of the law, they will be fined up to five thousand taka.¹⁷ Section 285 of the Labour Act states that if any parent or guardian enters into a contract regarding a child that violates the law, they will be fined up to one thousand taka.¹⁸

'The United Nations Convention on the Rights of the Child 1990 is the most important agreement of basic human rights, which aims to ensure and protect the privileges of children throughout the world.' Like many other countries, Bangladesh has enacted a Child Protection Act to safeguard the rights and well-being of children. The Bangladeshi government is committed to various international organizations to ensure comprehensive

¹⁵ Bangladesh Labour Act 2006, s. 34 and 35.

¹⁶ Bangladesh Labour Act 2006, s. 34 and 35.

¹⁷ Bangladesh Labour Act 2006, s. 284.

¹⁸ Bangladesh Labour Act 2006, s. 285.

child protection. Bangladesh signed and ratified the Child Rights Charter in 1990. The first significant legislative measure, the Children Act of 1974, was established to ensure the overall protection of children and to uphold their rights. In line with the multi-dimensional development, initiatives were taken to modernize this law. Under The Children Act of 1974, irrespective of any provisions to the contrary in existing laws, all individuals below the age of 18 years shall be deemed to be children. Consequently, in 2011, the Bangladeshi government formulated the National Child Policy, further reinforcing its commitment to child protection and welfare.

‘The United Nations Convention on the Rights of the Child 1990 is the most important agreement of basic human rights, which aims to ensure and protect the privileges of children throughout the world.’ (Islam & Rahman, 2015) Like many other countries, Bangladesh has enacted a Child Protection Act to safeguard the rights and well-being of children. The Bangladeshi government is committed to various international organizations to ensure comprehensive child protection. Bangladesh signed and ratified the Child Rights Charter in 1990.¹⁹ The first significant legislative measure, the Children Act of 1974, was established to ensure the overall protection of children and to uphold their rights.²⁰ In line with the multi-dimensional development, initiatives were taken to modernize this law. Under The Children Act of 1974, irrespective of any provisions to the contrary in existing laws, all individuals below the age of 18 years shall be deemed to be children. Consequently, in 2011, the Bangladeshi government formulated the National Child Policy, further reinforcing its commitment to child protection and welfare.²¹

The Standard Operating Procedure (SOP) for Child Protection Case Management in Bangladesh provides a systematic method for dealing with cases of child abuse or neglect. It was developed by the Department of Social Services (DSS) and implemented in conjunction with Save the Children. Drawn from the Children Act 2013, the SOP reinforces child protection mechanisms by means of a child-centered approach, stressing the need for confidentiality, non-discrimination and giving children a real role in decision-making. The SOP outlines the functions of Child Welfare Boards, Case Management Personnel, and Community-Based Child Protection Committees (CBCPCs) in exercising oversight of protective measures and interventions. The case management process is staffed by the identification of vulnerable children, assessment of risks, implementation of legal and psychological aid, and guaranteeing the safety of children in the long term before the case is closed. In addition, this SOP is in harmony with the National Child Policy 2011, and is designed to promote government agencies, NGOs and community organizations working together to build on successes relating to child welfare.

About 13% of children in Bangladesh are involved to child labour and are deprived of the right to receive education and other childhood rights. In some cases, children bear illegal acts of transporting weapons, drugs, and other illegal substances (Quattri & Watkins, 2019).

¹⁹ Bangladesh Child Rights Charter 1990.

²⁰ The Children Act 1974.

²¹ The Children Act 1974, s. 2(f).

The Constitution of Bangladesh acknowledges the inherent rights of all citizens, with specific recognition of the fundamental rights afforded to children.²² There are also laws to protect children. Hazardous child labour has been explicitly banned, and regulations specify permissible working hours and the types of tasks that children can and cannot be assigned. The Bangladesh Labour Act of 2006 establishes that the minimum age for employment is 14 years for children and 14 to 18 years for adolescents.²³ According to this act, children below the age of 14 cannot be employed, and guardians are prohibited from entering into any contracts for work on behalf of their children.²⁴

For juvenile workers, legislation mandates that a fitness certificate be obtained from a registered doctor, with associated costs covered by the employer. Normal working hours for juvenile workers will be five hours. And no work can be done with them from 7 pm to 7 am.²⁵ The Act also stipulates that children under the age of 12 can only be engaged in work that does not harm their health or interfere with their right to education.²⁶ The National Child Labour Elimination Policy of 2010 has established specific targets aimed at the eradication of child labour (Ministry of Labour and Employment, Government of the People's Republic of Bangladesh, 2010). In 1989, the UN Convention on the Rights of the Child established specific commitments regarding child labour.²⁷ According to the Convention, Member States are required to determine appropriate conditions for the age, special working hours, and recruitment of child labour, taking into account local conditions.²⁸ There are also commitments on child protection, compulsory primary education, which will indirectly help in eradicating child labour. Bangladesh signed this convention in 1990, thereby committing to these international standards and obligations.

The Constitution of Bangladesh enshrines the fundamental rights of all citizens including children. Articles 27, 28, 29, 31, 34, 37, 38, 39, 40, and 41 of the third chapter of the Constitution guarantee the basic human rights of all citizens.²⁹ In particular, Article 28(4) includes provisions for the State to make special provisions for the advancement of children. Additionally, Articles 11, 14, 15, 16, 17, 18, 19, and 20 of the Constitution emphasize the provision of basic needs, opportunities, power, rights and duties, and public health and morals, including free and compulsory primary education for children.³⁰ The Children Act of 1974 was enacted to ensure the overall protection and rights of children, which has been updated as Child Policy 2011 (Ministry of Women and Children Affairs, Government of the People's Republic of Bangladesh, 2011). The Child Act of 2013 is a comprehensive piece of

²² Constitution of Bangladesh 1972, arts. 27, 28, 29, 31, and 28(4) (ch 3).

²³ Bangladesh Labour Act 2006, s. 34.

²⁴ Bangladesh Labour Act 2006, s. 36.

²⁵ Bangladesh Labour Act 2006, s. 38.

²⁶ Bangladesh Labour Act 2006, s. 44.

²⁷ Convention on the Rights of the Child 1989.

²⁸ Convention on the Rights of the Child 1989, art. 32.

²⁹ Constitution of Bangladesh 1972, arts. 27, 28, 29, 31, 34, 37, 38, 39, 40, and 41 (ch 3).

³⁰ Constitution of Bangladesh 1972, arts. 11, 14, 15, 16, 17, 18, 19, 20, and 28(4).

legislation that addresses various aspects of child protection in Bangladesh.³¹ Defines any person under the age of 18 as a child and prohibits the use of children in child labour, child trafficking, child abuse and other wrongful activities. In line with the major provisions of the Children Act, 2013, Section 4 defines a child as any person below the age of eighteen.³² This corresponds to the United Nations Convention on the Rights of the Child.³³ Sections 70 to 74 therefore prohibit in explicit terms what kind of immoral and criminal activities children can be involved in. In these sections, Section 70 provides for acts of cruelty to children; Section 71 prohibits forcing children to beg; Section 72 makes it an offence to encourage children into brothels; Section 73 prohibits the use of children for carrying drugs or arms; and finally, Section 74 provides for penalties on child trafficking and involvement in a criminal offence.³⁴

The Act also establishes special courts dedicated to handling crimes against children and provides for the rehabilitation and social reintegration of child victims. Sections 39(2) and 39(3) of The Bangladesh Labour Act of 2006 outline specific restrictions on the employment of juveniles in hazardous work.³⁵ Accordingly, no juvenile shall be employed in any work declared hazardous by the government. Additionally, juveniles are prohibited from working in any establishment while machinery is in operation, particularly for tasks such as cleaning, oiling, or working between moving parts.

6. Conclusion

Although child labour is prohibited in Bangladesh, the increasing trend of its use in road transport is alarming. A primary challenge in implementing child protection laws is the lack of awareness and understanding among the general public. Many people, including parents and caregivers, are not fully aware of their rights and responsibilities in relation to child protection. Cases of child challenges such as inadequate implementation, cultural barriers and financial inequality continue to hamper effective protection systems important step in the recognition and protection of children's rights. Addressing these challenges requires government commitment, community engagement and international cooperation. Taking important steps like strengthening the legal framework, increasing enforcement and investing in education and awareness raising will reduce child labour. Initiatives should be taken to bring back children who dropped out of school during the coronavirus pandemic. Due to strict enforcement of The Child Act 2013, child labour has been stopped on several Leguna routes in Dhaka. The assurance of children's rights is inherently dependent on their access to education and the elimination of child labor. Interventions need to be linked with technical and vocational education to ensure the sustainability of the intervention and a better future for the children. Abuse and neglect are relatively under-reported. Legislation such as The Children's Act, 2013 marks an implementation of these laws,

³¹ Children Act 2013.

³² Children Act 2013, s. 4.

³³ United Nations Convention on the Rights of the Child 1989.

³⁴ Children Act 2013, ss. 70, 71, 72, 73, 74.

³⁵ Bangladesh Labour Act 2006, ss. 39(2) and 39(3).

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Authors' Contributions

Habib: Conceptualisation, Methodology, Writing – original draft, Writing – review & editing

Sumi: Data curation, Formal analysis, Supervision

Conflict of Interest Declaration

The authors declare no conflict of interest.

Ethics Approval

This study involved collecting human opinions through surveys and interviews regarding The Growing Crisis of Child Labour in Bangladesh: Focus on the Vehicle Sector and Legal Frameworks. At the time of conducting the research, Islamic University, Kushtia did not have a formal Research Ethics Committee. However, all participants were informed about the purpose of the study, participation was voluntary, and no personal or sensitive data were collected. Therefore, formal ethical approval was not required.

AI Usage Declaration

The following artificial intelligence tools have been used to assist in the research or editing of this article, but not to write, partly or wholly, the article: Grammarly and Quillbot.

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